Coming Soon: Scholar of Religion Joins UB Law Faculty, but Not Quite Yet

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FROM COURTROOM TO CLASSROOM

New assistant professor focuses on intellectual property law

Bartholomew, whose published articles range beyond IP to such topics as the history of legal education and employment discrimination, is a 2000 graduate of Yale Law School, where he was senior editor of the Yale Journal of Law & Humanities. The University and UB Law, he said, is a great place to be. “It is great to have all these other smart, very talented people to bounce ideas off of.” And coming full time to the university full of people to bounce ideas off of,” he said, “and the whole university full of people to bounce ideas off of.” And coming full time to an academic setting, Bartholomew said, gives him “more time to explore things in more detail. It is nice to have the writing be my job now,” rather than an avocation on the side of a legal practice.

After law school, Bartholomew clerked for a federal judge in Pasadena, Calif., and handled intellectual property, securities, consumer fraud, bankruptcy and probate cases for a midsize San Francisco law firm. In the Sonoma County Counsel’s Office, he was a litigator, especially in cases where the county was arguing for the establishment of conservatorships for disabled persons. Bartholomew’s legal research has come to focus on trademarks, patents and other aspects of intellectual property law, especially as it relates to cyberspace. A forthcoming piece in the Oklahoma Law Review deals with a trademark analysis of a search engine advertising. “There is a revolution now in copyright law,” he said, “with the prevalence of digital imaging and the Internet. Anybody who wants to download a song has to deal with that.”

UB Law now offers a concentration in IP law, Bartholomew will join Professor Robert J. Ben as a specialist in the field. There are preliminary plans, Bartholomew said, to implement a patent law clinic that would work with the University’s technology transfer office, which manages the commercialization of technology developed at the school. “It is a place where we can try a lot of new approaches,” he said. “We can tailor it to students. We do not have to follow a set pattern.”

Bartholomew is teaching a fall-semester course in Trademarks and Unfair Competition, and in the spring he will teach a copyright course and a seminar on legal and cultural issues in cyberspace. Bartholomew grew up in South Bend, Ind., where both his parents were educators; his father was a professor at the local campus of Indiana University. “I am just very interested in education in general. I think I am hard-wired to see that as important,” he said. He got a taste of Western New York during his undergraduate work at Cornell University in Ithaca. His wife, Christine, is also a lawyer; she telecommutes for her job doing anti-trust work for a California law firm. She also will teach a class in anti-trust law at UB Law School in the spring semester.

“I like the interdisciplinary focus here,” he said. “It is fun to hear what somebody else is working on. And it is really nice to have the Radcliff Center in-house. They really know people around the school – you just have to send an e-mail or call them, and they will put you in touch with someone who shares your academic interests.”

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ometimes good things come in twos. That has proved to be the case for UB Law School’s newest faculty member, Winnifred Fallers Sullivan. “Religion and public life. No sooner had she been offered the Buffalo teaching position than the news came that she had won a spot in the prestigious National Humanities Center fellowship program in North Carolina. As a result, while she has joined the UB Law faculty, she is spending the 2006-07 academic year in Research Triangle Park, N.C., doing research and working on two books.

Sullivan, a Chicago native, most recently has held teaching and administrative positions at the University of Chicago Divinity School, where she earned a doctorate in religious studies. Her J.D. is from the University of Oklahoma Law School.

“I think of myself as somebody who studies the intersection of religion and law,” she says. “I am not trained as a theologian, I am trained in the comparative study of religion. What I think of myself doing is looking at the way judges and lawyers talk about religion.”

Sullivan’s most recent book is The Impossibility of Religious Freedom (Princeton University Press, 2005). “There is a very real sense in which religious freedom is turning out to be impossible to realize, even in the United States,” she writes in the foreword to that book, which is built around a trial over whether a Florida cemetery could legally remove religious-themed memorial arrangements that families had placed on their loved ones’ graves in defiance of local cemetery regulations.

“Religion and law today speak in languages largely opaque to each other,” she adds, and Sullivan’s work seeks to bridge that gap – a vital task in a time of growing religious pluralism in the United States and worldwide. “This is quite an important time in terms of thinking through the legal regulation of religion in the modern world,” she says.

There is a certain intensity because of the visibility of religion in public life right now,” Sullivan says, citing such public policy debates as abortion, homosexuality, cloning, euthanasia and public funding of faith-based initiatives. But, she notes, the tension between religion and public policy is not new to our time: “There have always been such cases.”

During this fellowship year, she has conversed with 30 to 40 fellows working in various academic fields and worked on two books, with the hope of finishing one during the fellowship.

Then she will come to Buffalo. Sullivan is familiar with Western New York, having done her undergraduate work at Cornell University in Ithaca. There are a number of reasons why it is exciting to come to Buffalo,” she said, citing the presence in O’Brian Hall of other faculty with academic interests in law and religion, as well as the Baldy Center for Law and Social Policy. “Even in this age of the Internet, there’s nothing like face to face. The proximity to Canada is very interesting as well, with all sorts of possibilities for cross-border conversations.”

This,” she said, “is an unusual law school that is open to interdisciplinary conversation.”

Faculty

Associate Professor Mark Bartholomew.

Professor Winnifred Fallers Sullivan.

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